

A. CALL TO ORDER.

The regular meeting of the Waverly City Council was held on January 19, 2009, at 7:00 p.m. in the Council Chambers at City Hall. Mayor Ackerman presided. Council members present: Duane Liddle, Gene Lieb, Gary Grace, Fred Ribich, Gary Boorum and Cyndi Ecker. Absent: Jim Vowels

1. **Approve Agenda as Printed or Add Items for Discussion Only.**

Moved By: Grace

That the agenda for this Council meeting as prepared is hereby approved.

Yes: 6

No: 0

Absent: 1

2. **Minutes.**

Moved By: Ecker

The January 5, 2009 Council Meeting Minutes are hereby approved.

Yes: 6

No: 0

Absent: 1

B. PUBLIC HEARINGS.

C. VISITORS/PUBLIC COMMENTS.

Economic Development Director Jason Passmore stated that the State of Iowa announced the development of a federally funded Jumpstart Program to assist residential landlords who own rental property that was damaged by the natural disasters of 2008. The Jumpstart Program will be a 5-year forgivable loan aimed at low to moderate income housing and will be administered by Iowa Northland Regional Council of Governments.

D. TABLED ITEMS.

E. CONSENT AGENDA.

1. Class C Liquor License for Big Ben Pour House.
2. Class C Liquor License for Joe's Knight Hawk, Inc.
3. Class C Liquor License for East Bremer Diner, Inc.
4. Pay Request from VJ Engineering for the Big 6 Plaza Spillway Flood Repair in the amount of \$1,558.00.
5. Pay Request from Snyder & Associates for the 2009 4th Street SW Reconstruction Project in the amount of \$18,961.80.
6. Pay Request from Snyder & Associates for the Bremer Avenue Traffic Signal Modifications in the amount of \$4,551.04.

Moved By: Ribich

Items 1-6 on the Consent Agenda is hereby approved.

Yes: 6

No: 0

Absent: 1

F. REGULAR BUSINESS.

1. **Approve a Phased Professional Services Agreement Between the City of Waverly and Stanley Consultants for the Waverly Dam Reconstruction Project.**

Staff informed Council that Phase 1 shall cover "investigations and data gathering."

Task 4 included geo technical and site survey work. Task 5 includes underwater inspection of the area between the bridge and the dam and involves time and materials. Next week divers should begin their investigation. Staff informed Deb Turnball that three companies construct bladder dams. Stanley has no way of knowing the costs of Phase 3, 4, and 5 until the first phase is completed.

Moved By: Grace

making 60% of the area's median income. Project costs total approximately \$9 million, to be made possible by equity generated from the sale of Low Income Housing Tax Credits and convention construction/permanent loans from private lenders. The Council requested more information on the development before approval of the second reading of the ordinance.

Motion By: Boorum

First Reading of Ordinance 908, An Ordinance Amending the Zoning Ordinance of Waverly, Iowa, Providing for Rezoning of Certain Area from C-2 (Commercial District) to R-3 (Multiple Family Residential District) of Said Lots 51, 52, and 53, in Southeast Waverly and setting a Public Hearing Date, Time and Place of February 2, 2009 at 7:00 P.M. at City Hall on said Rezoning is hereby approved.

Yes: 6

No: 0

Absent: 1

8. **Reconsideration of Change Order No. 1 for the Public Services Site Development – Phase 1 - Recycling Center.**

Councilmember Liddle questioned who would be paying for the Change Order. City Engineer Cherry stated that code requirements are different in every community and wouldn't expect the architects to know all codes. The bid for the recycling center came in \$62,000 less than expected and the change order is only \$18,011. Mr. Cherry again stated that if Bremer County had completed the plan review before the letting an addendum would have been created to include the increase in snow loads, thermal blocks, the second layer of insulation, exterior glazing and Galvalume roof panels. Ron Camaratta voiced concern with the change order. Butch Kehe stated that the International Building Code for snow loads was raised because it was too low. Mr. Kehe also agreed that the amount of the change order was appropriate and the City is getting more building than what was bid. Staff informed Mayor Ackerman that the City builds economically and according to building standards. Donna Turnball questioned if there would be other change orders. Staff informed Council that the bid would have increased if the addendum was added to the bid.

Moved By: Ribich

Reconsideration of Change Order No. 1 for the Public Services Site Development – Phase 1 – Recycling Center for the increased amount of \$18,011.00 to Modern Builders is hereby approved.

Yes: 4

No: 2 (Liddle, Lieb)

Absent: 1

9. **Resolution 09-10, A RESOLUTION TO PURCHASE RAPID DEPLOYMENT FLOOD BARRIERS FROM FLOODWALL, INC.**

Councilmember Liddle provided information to Council on specifications and costs of floodwalls and was concerned about flooding this year. City Engineer Cherry stated the City has never tried floodwalls and there is no assistance to purchase said floodwalls. The City may need 200 – 250 units at 450 pounds a piece and would require 2 semi-loads. The floodwalls have to be loaded, unloaded, deployed and filled with water and there is still no guarantee that the floodwalls would hold back the river. Mr. Cherry stated that there are other systems such as an earthen levy that may reduce flooding in northwest Waverly. \$750,000 would include the area from the Rail Trail Bridge through South Riverside and down by the old quarry. Councilmember Liddle proposed this alternative because no other ideas were presented. Mr. Crayne stated that the City submits all the items to the newspaper on Wednesday that was provided at the time but the agenda goes out on Thursday. The newspaper was notified 24 hours preceding the meeting. Councilmember Boorum stated that there are 2 different brands of floodwalls and both are pretty equal. Councilmember Liddle's choice would cost between \$823,000 and the other brand would be \$624,000. Councilmember Boorum stated costs for the flood walls could go as high as \$1,500,000 or \$1,439,000 depending on the brand and length. Both floodwall specs are pretty comparable. Discussion followed on stacking of the floodwalls, not going out for bids on said product and trained personnel to put floodwalls in place. Administrator Crayne stated that the

City is ready if there is another flood this spring. The City does not have time to construct an inflatable dam or do FEMA buyouts. The City will use what they have used in the past and investigate a potential earthen levy. The City is restocked with sandbags and equipment has been repaired. Mr. Crayne is concerned about putting \$500,000 toward a product that has not had an engineering review and would like to have the City's consultants see if the floodwalls are appropriate. Mayor Ackerman stated that if the City is going to spend \$450,000 to \$1 million a set of specifications from alternate bidders and recommendations would be needed. The City still has to maintain enough resources into fighting a spring flood. Councilmember Liddle stated that the City could start with a demonstration project. Councilmember Grace encouraged staff to get engineers to look at different flood mitigation measures as quickly as possible along with diversion channels, bladder dams to determine if any are a viable option for the City's flood control. The City would need to set up a plan and know where the resources are for an earthen levy. The City may use the proposed floodwalls for shorter gaps along the river. Butch Kehe voiced concern with spending money in excess of \$100,000 on a floodwall project and encouraged the City to follow the engineering and bidding process. The Council was concerned with liabilities and warranties. Councilmember Ecker stated that the product needs to be scrutinized. Administrator Crayne will check with Stanley Consultants on the floodwall. Deb Turnball questioned whether work has been done on the storm sewers and shutoff valves. Staff informed Ms. Turnball that they have been cleaned out and operable, but there are still no guarantees. Options are being explored on the possibility of the 3rd Ave NW sewer being rerouted to outlet downstream of the dam. Another possibility may also be to create a fishway and pump out excess. Councilmember Ecker also stated that citizens living in flooded areas should have their own plan to protect homes and property.

Moved By: Liddle

Resolution 09-10, A RESOLUTION TO PURCHASE RAPID DEPLOYMENT FLOOD BARRIERS FROM FLOODWALL, INC. (no information is available at time of agenda regarding unit cost, number or size of barriers to be purchased, engineered design for placement locations or heights is available) is hereby approved.

Yes: 1(Liddle)

No: 5

Absent: 1

10. **Authorization for Staff to Proceed with Requesting a Contract for Consulting Work for a Flood Mitigation Project for the Parks Storage Building.**

Leisure Services Director Tab Ray stated that the Parks Storage Building was used as recreational storage and was built in the 1930's. It is the building between the Parks Storage Facility and the Fire Station. The proposal is to hire a consultant to assemble plans and specifications to preserve this structure and to make it a flood proof and usable, open air shelter facility. Initial concepts would remove the doors and window glass, install a concrete floor and create a flood proof unisex restroom. The City received \$8,000 from FEMA and has spent \$3,000 for asbestos inspection and removal of the floor tile. The proposed project has potential for grant funding and has historical significance. City Engineer Mike Cherry informed Ron Camaratta that it would be difficult to do the consulting work in-house with all other Public Works projects. Discussion followed on creating a historical district.

Moved By: Ribich

Authorization for Staff to Proceed with Requesting a Contract from AHTS Architecture of Waterloo, Iowa for the not to exceed amount of \$4,000 for Consulting Work for a Flood Mitigation Project for the Parks Storage is hereby approved.

Yes: 6

No: 0

Absent: 1

11. **Resolution 09-08, A Resolution Setting User Fees and Charges for the Leisure Services Department for 2009 Recommended by the Leisure Services Commission and Golf Commission.**

Moved By: Ecker

Resolution 09-08, A Resolution Setting User Fees and Charges for the Leisure Services Department for 2009 recommended by the Leisure Services Commission and Golf Commission is hereby approved.

Yes: 6 No: 0 Absent: 1

12. **Third and Final Reading of Ordinance 906, An Ordinance Concerning Filling Vacancies on the Board of Hospital Trustees.**

Moved By: Ribich

Third and Final Reading of Ordinance 906, An Ordinance Concerning Filling Vacancies on the Board of Hospital Trustees is hereby approved.

Yes: 6 No: 0 Absent: 1

13. **Approval of December Cash Disbursements.**

Discussion followed on check for Housing Rehab project, for St. Mary's Trees Forever project and for a tobacco compliance check.

Moved By: Ribich

The December Cash Disbursements are hereby approved.

Yes: 6 No: 0 Absent: 1

14. **Mayoral Appointments.**

Moved By: Ribich

The Mayoral reappointments are hereby approved:

Ron Stahlberg and Barb McLaughlin to the Housing Commission

Yes: 6 No: 0 Absent: 1

G. BOARDS AND COMMISSIONS.

1. Boards and Commissions.
2. Reports.
3. Communications.

H. CITY COUNCIL COMMENTS ON POLICY ISSUES.

Councilmember Boorum informed Council that the Law Center will begin testing the Code Red System.

Staff will review Emery Circle drainage issues.

I. ADJOURNMENT.

Moved By: Boorum

That the City Council Meeting be adjourned.

Yes: 6 No: 0 Absent: 1

Council adjourned at 8:35 P. M.

Fred Ribich, Mayor Pro Tem

Attest:

Richard J. Crayne, City Administrator